

# Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: \_\_\_\_\_

Project Title: Villas at Winding Creek (PRC 2025-006-S, PRC 2025-006-C)

Lead Agency: City of Porterville

Contact Name: Claudia Calderon

Email: ccalderon@ci.porterville.ca.us Phone Number: (559) 782-7460

Project Location: Porterville Tulare  
*City* *County*

Project Description (Proposed actions, location, and/or consequences).

See attached Project Description.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

See attached Mitigation Monitoring and Reporting Program.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

No known areas of controversy at this time.

Provide a list of the responsible or trustee agencies for the project.

Not Applicable.

## 2.9 Description of Project

To facilitate the future development of the Project Site, the Applicant, Smee Homes, Inc., has requested a Tentative Subdivision Map (TSM No. 2025-006-S) and Conditional Use Permit (CUP No. 2025-006-C). These entitlements pertain to one (1) approximately 8.76-acre parcel located north of the Poplar Ditch between Wisconsin Street and South Indiana Street in Porterville, CA (APN 268-100-008).

The TSM proposes to subdivide the Project Site into 32 single-family lots (Lots 1 to 32), ranging from 5,046 square feet (sf.) to 8,242 sf., with an average lot size of 5,903 sf. (Figure 2-5). Each lot is proposed to be developed with one unit (3.21 du/ac). The Project also includes a Remainder Parcel of approximately 2.31 acres. The Project proposes an internal network of local streets with two (2) points of ingress/egress on Wisconsin Street and one (1) point of ingress/egress on South Indiana Street. All roadways within the proposed subdivision would be designed in accordance with City standards and would have curb, gutter, and sidewalk. In addition, Indiana Street and Wisconsin Street in proximity to the Project site would be improved to their ultimate rights-of-way, with curb, gutter, and sidewalk, in addition to landscaping. The Project also proposes approximately 9,241 square feet of open space including a 10-foot-wide trail, and a 12-foot-wide service road along the north side of Poplar Ditch.

The CUP would allow for reduced lot sizes. According to the PMC, the RS-2 Zoning District requires a minimum lot size of 6,000 sf., a minimum lot width of 60 feet (ft.), and a minimum lot depth of 75 ft. However, smaller lots with a minimum area of 3,000 sf., a minimum lot width of 35 ft., and a minimum lot depth of 60 ft. may be approved with a CUP when the City Council finds that the lot size and configuration are consistent with the General Plan and will not adversely affect adjoining uses.

Though no physical development is proposed at this time, any future development would be built in accordance with all mandatory water use requirements as outlined in the 2022 California Green Building Standards Code, Title 24, Part 11 and verified through the building permit process. As a residential development that would contain plumbing fixtures and fittings, the Project would be required to comply with water-conserving measures for water closets, urinals, showerheads, and faucets. Additionally, as a residential development that would contain landscaping including trees, shrubs, groundcover/annual plants, and lawn, the Project would be required to comply with the updated Model Water Efficient Landscape Ordinance (MWELO) (California Code of Regulations, Title 23, Chapter 2.7, Division 2), as implemented and enforced through the building permit process.

The Project is within City limits and thus, future development would be required to connect to water, wastewater, and stormwater services. Domestic water service would be provided to the site through proposed water mains located throughout the site and would connect to the City system. Sanitary sewer service would be provided through sewer mains located throughout the site and would connect to the City system. Natural gas, electricity, and telecommunications are provided by private companies. In addition, the Project would be subject to fees for the construction, acquisition, and improvements for public services including, but not limited to, fire protection services, police protection services, and schools.

## 5 MITIGATION MONITORING AND REPORTING PROGRAM

### MITIGATION MONITORING AND REPORTING PROGRAM FOR VILLAS AT WINDING CREEK RESIDENTIAL SUBDIVISION

This mitigation measure monitoring and reporting checklist was prepared pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15097 and Section 21081.6 of the Public Resources Code (PRC). The timing of implementing each mitigation measure is identified in in the checklist, as well as identifies the entity responsible for verifying that the mitigation measures applied to a Project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Porterville is responsible for verifying that mitigation is performed/completed.

Mitigation Measures	Party Responsible for Implementing Mitigation	Timing of Verification	Responsible for Monitoring Verification	Verification of Completion	
				Date	Initials
<b>Biological Resources</b>					
<p><b><i>Mitigation Measure BIO-1 (Protected Birds including Swainson’s Hawk):</i></b> To mitigate potential impacts on protected birds, including Swainsons Hawk, and to avoid “take” as defined by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code, the following measures will be implemented.</p> <p>1) <u>Avoidance of Nesting Season:</u> If feasible, all ground-disturbing activities (including grading, grubbing, or mobilization of construction equipment and materials) and vegetation removal will occur outside the typical nesting season for migratory birds in the San Joaquin Valley (generally February 1 through August 31).</p> <p>2) <u>Pre-Construction Survey (If Work During Nesting Season):</u> If ground disturbance or vegetation removal must be initiated or continue during the nesting season (February 1 through August 31), a qualified biologist will conduct a pre-construction survey for nesting birds, including special-</p>	Project Applicant	Prior to construction	City of Porterville		

<p><i>status species such as Swainson's Hawk, within the Project footprint and a suitable buffer (e.g., 500 feet for raptors like Swainson's Hawk, 250 feet for other protected birds, or as determined by the biologist based on species and site conditions). The survey will be conducted no more than 14 days prior to the start of any ground disturbance or vegetation removal within the Project footprint. The survey results will be reported by the biologist to the Project proponent, who will then report to the City of Porterville Community Development Department for mitigation monitoring compliance. If no active nests are detected, no further species-specific mitigation for nesting birds is required.</i></p> <p>3) <u>Minimize Impacts (If Active Nests Found):</u> <i>If active nests are found in or near the construction zone/area, the qualified biologist will establish and implement an appropriate species-specific non-disturbance buffer (as recommended by CDFW). This buffer will be clearly delineated, and no construction activities will occur within this buffer until the qualified biologist determines that the nesting effort has concluded (e.g., young have fledged and are no longer reliant on the nest) and the nest is no longer active. The biologist will prepare a plan detailing the avoidance, monitoring, and minimization actions, and the results of these efforts will be reported by the biologist to the California Department of Fish and Wildlife (CDFW), Project proponent, and the City of Porterville Community Development Department for mitigation monitoring compliance.</i></p>					
<p><b>Mitigation Measure BIO-2 (American Badger):</b> <i>To mitigate potential impacts on the American badger and avoid “take” under state law, the following measures will be implemented.</i></p>	<p>Project Applicant</p>	<p>Prior to construction</p>	<p>City of Porterville</p>		

<p>1) <u>Avoidance of Denning Season</u>: If feasible, ground disturbance (including grading, grubbing, or mobilization of construction equipment and materials) in suitable and identified American badger habitat (e.g., grasslands, shrublands with friable soils, or areas with known burrow complexes) will be scheduled outside their primary denning season (typically February through July) when young may be present. Construction activities will avoid filling or altering known or potential badger dens.</p> <p>2) <u>Pre-Construction Survey (If Work During Denning Season)</u>: A qualified biologist will conduct a pre-construction survey for American badgers and their dens within the Project footprint and a suitable buffer (e.g., 50 feet) at least 30 days prior to ground disturbance. The survey results will be reported by the biologist to the Project proponent, CDFW, and the City of Porterville Community Development Department for mitigation monitoring compliance. If no badgers or active dens are detected, no further species-specific mitigation is required.</p> <p>3) <u>Minimize Impacts (If Badgers/Dens Found)</u>: If American badgers or their active dens are found and complete avoidance is not feasible, the qualified biologist will prepare a plan that describes proposed avoidance, monitoring, minimization, and/or mitigation actions to reduce impacts to a less than significant level and avoid "take." This plan may include establishing buffer zones around active dens (e.g., 50-foot non-disturbance buffer), installing exclusion fencing, passively relocating to suitable, protected habitat, etc. The plan will be implemented in consultation with the qualified biologist, CDFW, and the Project proponent in accordance with CDFW guidelines related to the species. The plan and results of efforts will be reported by the biologist to the CDFW and the City of Porterville Community Development Department for mitigation monitoring compliance.</p>					
<p><b>Mitigation Measure BIO-3 (Northern California Legless Lizard):</b> To mitigate potential impacts on the Northern California legless lizard</p>	<p>Project Applicant</p>	<p>Prior to construction</p>	<p>City of Porterville</p>		

<p>and avoid “take” under state law, the following measures will be implemented:</p> <ol style="list-style-type: none"> <li>1) <u>Pre-Construction Survey</u>: A qualified biologist will conduct a pre-construction survey at least 30 days prior to ground disturbance in suitable legless lizard habitat (e.g., areas with loose sandy soils, leaf litter, or dense vegetation cover) to identify the presence/absence of legless lizards. The survey may involve hand-raking through loose soil and leaf litter. The results of efforts will be reported by the biologist to the Project proponent, CDFW, and the City of Porterville Community Development Department for mitigation monitoring compliance. If no legless lizards are detected, no further species-specific mitigation is required.</li> <li>2) <u>Avoidance</u>: If feasible, ground disturbance (including grading, grubbing, or mobilization of construction equipment and materials) in suitable legless lizard habitat will be minimized. Construction activities will avoid filling or altering known or potential legless lizard habitat where feasible.</li> <li>3) <u>Minimize Impacts (If Legless Lizards Found)</u>: If legless lizards are found and complete avoidance is not feasible, the qualified biologist will prepare a plan that describes proposed avoidance, monitoring, minimization, and/or mitigation actions to reduce impacts to a less than significant level and avoid “take.” This plan may include establishing exclusion fencing, salvaging and relocating to suitable, protected habitat, monitoring, etc. The plan will be implemented in consultation with the qualified biologist, CDFW, and the Project proponent in accordance with CDFW guidelines related to the species. The plan and results of efforts will be reported by the biologist to the Project proponent, CDFW, and the City of Porterville Community Development Department for mitigation monitoring compliance.</li> </ol>					
<p><b>Mitigation Measure BIO-4 (San Joaquin Kit Fox):</b> To mitigate potential impacts on the San Joaquin kit fox and avoid “take” under the Federal Endangered Species Act (ESA) and California</p>	<p>Project Applicant</p>	<p>Prior to construction</p>	<p>City of Porterville</p>		

<p><i>Endangered Species Act (CESA), the following measures will be implemented:</i></p> <ol style="list-style-type: none"> <li>1) <u><i>Pre-Construction Survey:</i></u> <i>Prior to ground disturbance, a qualified biologist will conduct a pre-construction survey for San Joaquin kit fox and their dens within the Project footprint and a suitable buffer (e.g., 200-500 feet, as per agency guidelines) at least 30 days prior to ground disturbance. This survey will strictly follow current U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) protocols. The survey results will be reported by the biologist to the Project proponent, CDFW, USFWS, and the City of Porterville Community Development Department for mitigation monitoring compliance. If presence is not detected, no further species-specific mitigation is required, but adherence to standard avoidance measures (e.g., pre-activity surveys, speed limits) may still be required by agencies.</i></li> <li>2) <u><i>Avoidance of Pupping Season:</i></u> <i>If feasible, ground disturbance (including grading, grubbing, or mobilization of construction equipment and materials) in suitable San Joaquin kit fox habitat (e.g., arid grasslands, scrublands, and areas with potential dens) will be scheduled outside their primary pupping season (typically February through May) to avoid impacts to vulnerable young. Construction activities will avoid filling or altering known or potential kit fox dens.</i></li> <li>3) <u><i>Minimize Impacts (If Kit Foxes/Dens Found):</i></u> <i>If San Joaquin kit foxes or their dens (natal, pupping, or known active dens) are found and complete avoidance is not feasible, the qualified biologist will prepare a plan that describes proposed avoidance, monitoring, minimization, and mitigation actions, including compensatory mitigation, to reduce impacts to a less than significant level and avoid "take." This plan will be developed in consultation with and approved by USFWS and CDFW. The plan and results of efforts will be reported by the biologist to the USFWS, CDFW, and the City of Porterville Community</i></li> </ol>					
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<p>Development Department for mitigation monitoring compliance.</p> <p>4) <u>Worker Environmental Awareness Program (WEAP)</u>: Prior to any ground disturbance, all construction personnel will attend a WEAP conducted by a qualified biologist. The program will include a detailed description of the San Joaquin kit fox and its habitat, legal protection, and the critical importance of avoiding "take." It will also outline specific measures to be implemented during construction, such as speed limits, trash management, and reporting procedures for observations of kit foxes or dens.</p> <p>5) <u>Designated Biologist</u>: A qualified biologist will be available during all ground-disturbing activities to ensure compliance with mitigation measures and agency conditions, and to monitor for the presence of San Joaquin kit fox.</p> <p>6) <u>Compensatory Mitigation</u>: If impacts to San Joaquin kit fox habitat cannot be avoided and are authorized by USFWS and CDFW, compensatory mitigation (e.g., purchase of conservation easements or credits at an approved conservation bank) will be required to offset habitat loss. The amount of compensatory mitigation will be determined in consultation with the agencies.</p>					
<p><b>Mitigation Measure BIO-5 (Crotch's Bumble Bee):</b> To mitigate potential impacts on the Crotch's bumble bee and avoid "take" under CESA, the following measures will be implemented:</p> <p>1) <u>Pre-Construction Survey</u>: Prior to ground disturbance, a qualified biologist or entomologist shall conduct a pre-construction survey no more than 30 days prior to ground disturbance to identify sensitive bumble bee species and potential foraging or nesting habitat. If presence is not detected, no further species-specific mitigation is required.</p> <p>2) <u>Avoidance of Peak Activity Periods</u>: To the extent feasible, large-scale vegetation removal or heavy ground disturbance in areas identified as existing or potential bumble bee foraging or nesting habitat will be scheduled outside of peak bumble bee</p>	<p>Project Applicant</p>	<p>Prior to construction</p>	<p>City of Porterville</p>		

<p><i>foraging and nesting periods (typically spring through fall) to avoid direct harm to active bees and nests.</i></p> <p>3) <i><u>Minimize Impacts (If Bumble Bees/Habitat Found):</u> If sensitive bumble bee species or active nests are found, or if complete avoidance of foraging or nesting habitat is not feasible, the qualified biologist or entomologist will prepare a plan that describes proposed avoidance, monitoring, minimization, and/or mitigation actions to reduce impacts to a less than significant level and avoid "take." This plan may include establishing buffers, enhancing landscaping with native, pollinator-friendly flowering plants that provide continuous bloom throughout the year, etc. The plan will be implemented in consultation with the qualified biologist, CDFW, and the Project proponent in accordance with CDFW guidelines related to the species. The plan and results of efforts will be reported by the biologist and submitted to the CDFW and the City of Porterville Community Development Department for mitigation monitoring compliance.</i></p>					
<p><b>Mitigation Measure BIO-6 (Valley Elderberry Longhorn Beetle):</b> <i>To mitigate potential impacts on the Valley Elderberry Longhorn Beetle and avoid "take" under the federal ESA, the following measures will be implemented:</i></p> <p>1) <i><u>Pre-Construction Survey:</u> Prior to ground disturbance, a qualified biologist will conduct a pre-construction survey no more than 30 days prior to ground disturbance of elderberry shrubs within the Project area to identify potential VELB exit holes. If presence is not detected, no further species-specific mitigation is required.</i></p> <p>2) <i><u>Avoidance:</u> Prior to any ground disturbance or vegetation removal, a qualified biologist will identify and map all elderberry shrubs within the Project area. All identified elderberry shrubs, especially those with potential VELB habitat (stems ≥1.0 inch in diameter at ground level), will be avoided to the maximum extent practicable. A non-disturbance buffer of at least 20 feet</i></p>	<p>Project Applicant</p>	<p>Prior to construction</p>	<p>City of Porterville</p>		

<p><i>(or as otherwise specified by the U.S. Fish and Wildlife Service - USFWS) will be established around all elderberry shrubs. This buffer will be clearly delineated with fencing and signage, and no ground disturbance, vehicle access, or material storage will occur within this zone. No pesticides or herbicides will be used within 100 feet of any elderberry shrub.</i></p> <p>3) <u>Minimize Impacts (If Avoidance Not Feasible):</u> <i>If complete avoidance of elderberry shrubs or their designated buffer is not feasible, impacts will be minimized, and compensatory mitigation will be implemented in consultation with and approval from the USFWS to avoid "take." Measures may include transplantation, propagation, compensatory habitat acquisition/enhancement, etc. The plan will be implemented in consultation with the qualified biologist, USFWS, and the Project proponent in accordance with USFWS guidelines related to the species. The plan and results of efforts will be documented by the biologist and submitted to the USFWS and the City of Porterville Community Development Department for mitigation monitoring compliance.</i></p>					
<p><b>Mitigation Measure BIO-7 (Vernal Pool Fairy Shrimp):</b> <i>To mitigate potential impacts on the Vernal Pool Fairy Shrimp and avoid "take" under the federal ESA, the following measures will be implemented:</i></p> <p>1) <u>Pre-Construction Wet Season Surveys:</u> <i>Prior to any ground disturbance that could impact potential vernal pool habitat, a protocol-level wet season survey will be conducted by a qualified biologist during the appropriate inundation periods (typically December through April) to determine the presence or absence of vernal pool fairy shrimp. These surveys will follow current USFWS guidelines. If presence is not detected, no further mitigation is required.</i></p> <p>2) <u>Avoidance:</u> <i>Prior to any ground disturbance, a qualified biologist will identify and delineate all vernal pools and other suitable ephemeral wetland habitats within the Project area. All identified vernal pools and suitable ephemeral wetland habitats</i></p>	<p>Project Applicant</p>	<p>Prior to construction</p>	<p>City of Porterville</p>		

<p><i>will be avoided to the maximum extent practicable. A non-disturbance buffer (e.g., 250 feet or as specified by the U.S. Fish and Wildlife Service - USFWS) will be established around all such features. This buffer will be clearly delineated with fencing and signage, and no ground disturbance, vehicle access, or material storage will occur within this zone. No activities that could alter the hydrology of vernal pools (e.g., changes in drainage patterns, increased runoff, introduction of pollutants) will be permitted.</i></p> <p>3) <u>Minimize Impacts (If Avoidance Not Feasible):</u> <i>If impacts to vernal pool fairy shrimp habitat are unavoidable (and presence is confirmed or assumed based on surveys), minimization and/or compensatory mitigation will be implemented in consultation with and approval from the USFWS to avoid "take." Measures may include reducing the footprint of impact, implementing erosion control measures, ensuring no pollutants enter the habitat, compensatory mitigation etc. The results of efforts will be documented by the biologist and submitted to the USFWS and the City of Porterville Community Development Department for mitigation monitoring compliance</i></p>					
<b>Cultural Resources</b>					
<p><b>Mitigation Measure CUL-1:</b> <i>In order to avoid the potential for impacts to historic and prehistoric archaeological resources, the following measures shall be implemented in conjunction with the construction of each phase of the Project:</i></p> <p><i>If previously unknown historical, archeological, cultural, or paleontological resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified archeologist, historical resources specialist, or paleontologist, shall be consulted to determine whether the resource requires further study. Notification of discovery shall be</i></p>	<p>Project Applicant</p>	<p>Prior to construction</p>	<p>City of Porterville</p>		

<p><i>provided to the City of Porterville Community Development Department.</i></p> <p><i>The qualified archeologist, historical resources specialist, or paleontologist shall make recommendations to the project proponent on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and City’s policies and procedures related to historical, cultural, and paleontological resources. Notification of the measures shall be provided to the City of Porterville Community Development Department.</i></p> <p><i>If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the project proponent, who shall notify the City of Porterville Community Development Department. Appropriate measures for significant resources could include avoidance or capping, preservation in-place, recordation, additional archeological resting, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.</i></p> <p><i>No further grading shall occur in the area of the discovery until the City of Porterville Community Development Department approves the measures to protect these resources. Any historical, archeological, cultural, or paleontological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</i></p>					
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<b>Geology and Soils</b>					
<i>See Cultural Resources</i>					
<b>Tribal Cultural Resources</b>					
<i>See Cultural Resources</i>					